IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

KEVIN P. DIXON, deceased, by and through Lula M. Dixon, his mother, next best Friend and) 1)
Independent Administrator of the Estate of Kevin P. Dixon,) No. 09 C 6976
Plaintiff,) JUDGE LEINENWEBER
vs.)) MAGISTRATE JUDGE SCHENKIER
COOK COUNTY d/b/a CERMAK HEALTH SERVICES, et al.,)) JURY DEMAND
Defendants)

MOTION FOR EXTENSION OF TIME TO DISCLOSE EXPERT WITNESSES

Now comes the Plaintiff, KEVIN P. DIXON, deceased, by and through Lula M. Dixon, his mother, next best friend and Independent Administrator of the Estate of Kevin P. Dixon, by and through his attorneys, MICHAEL D. ROBBINS, MICHAEL D. ROBBINS & ASSOCIATES and JEFFREY J. NESLUND, LAW OFFICES OF JEFFREY J. NESLUND, and for his Motion for Extension of Time to Disclose Expert Witnesses, states as follows:

- 1. The parties were to disclose their experts by November 2, 2011, pursuant to this Court's order of September 21, 2011. On September 21, 2011, Expert Discovery was extended to November 2, 2011, on Plaintiff's oral motion in court.
- 2. Both of Plaintiff's counsel were involved in a two week trial which began on October 3, 2011 and concluded on October 13, 2011 in the matter of <u>Dolores Delarosa v. Chicago Police Officer Jorge Cerda, et al.</u>, 07 L 3198, before the Honorable Susan Grussell. Additionally, during the week preceding the trial, Plaintiff's counsel were occupied with trial preparation which included meeting with numerous medical experts and occurrence witnesses.

- 3. Immediately following the conclusion of the <u>Delarosa</u> trial, one of Plaintiff's counsel was involved in a trial which began on October 18, 2011 and concluded on October 24, 2011 in the matter of <u>Demetrius Patton v. Chicago Police Officer Michael Bernichio, et al.</u>, 09 C 2901.
- 4. Both of Plaintiff's counsel have also been diligently working on a response to a Motion for Summary Judgment in the matter of <u>Bobby Ezell v. IDOC Officer Shaun Bass</u>, et al., 09 C 6908, which was filed on November 4, 2011.
- 5. In addition, both of Plaintiff's counsel have also been diligently working on a response to a Motion for Summary Judgment as well as a Pre-Trial Order in the matter of <u>Finis Dorsey v. Chicago Police Officer John Smith</u>, et al, 10 C 3041, which was also filed on November 4, 2011. The <u>Dorsey matter</u> is scheduled to start trial on December 5, 2011, before the Honorable Judge Virginia Kendall.
- 6. Also, one of Plaintiff's counsel is preparing to begin a trial in the matter of Gabriel Govea, et al. v. City of Chicago, et al., 09 C 4143, which is scheduled to begin on November 7, 2011 before the Honorable Judge William T. Hart.
- 7. Plaintiff's counsel have consulted with and expect to retain, Dr. Robert B. Greifinger as an expert in this case. Dr. Greifinger has received and reviewed certain materials but needs additional materials in order to prepare a report. Dr. Greifinger has also advised the undersigned that he will have limited availability between now and Thanksgiving. Accordingly, Plaintiff requests leave of Court to disclose their expert after Thanksgiving.
- 8. This request is not made to delay the proceedings, rather it is made in the interest of justice and so as to afford the Plaintiff effective representation.

WHEREFORE, for the reasons stated above, Plaintiff respectfully requests this Honorable Court to enter an order extending the Plaintiff's time to disclose his experts until December 1, 2011.

Respectfully submitted,

/s/ Michael D. Robbins
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One of the Attorneys for Plaintiff

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